



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

APR 08 2015

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**Article Numbers: 7005 3110 0000 5952 7085 - 7005 3110 0000 5952 7092**

Richard T. Fitamant, Executive Director  
Middlesex County Utilities Authority  
2571 Main Street  
P.O. Box 159  
Sayreville, New Jersey 08872-0159

Luis A. Perez Jimenez, Superintendent  
Perth Amboy City  
260 High Street - City Hall  
Perth Amboy, NJ 08861

Re: **Request for Information**  
**Docket No. CWA-IR-15-021**  
**Wet Weather Flows from Perth Amboy Significant Industrial Users**  
**Middlesex County Utilities Authority, Sayreville, NJ**  
**NJPDES Permit Number: NJ0020141**  
**Perth Amboy, NJPDES Permit No. NJ0156132**

Dear Messrs. Fitamant and Perez:

Please find enclosed a Request for Information (“RFI”) letter, which the U.S. Environmental Protection Agency (“EPA”) Region 2 is issuing to the Middlesex County Utilities Authority (“MCUA”) and Perth Amboy pursuant to Sections 308(a) of the Clean Water Act (“CWA”), 33 U.S.C. §1318(a). The EPA is issuing the RFI letter to require MCUA and Perth Amboy to provide specific information related to wet weather flows from Significant Industrial Users that discharge into Combined Sewer Systems.

Section 308(a) of the CWA, 33 U.S.C. §1318(a), provides that whenever it is necessary to carry out the objectives of the CWA, including determining whether or not a person/agency is in violation of Section 301 of the CWA, 33 U.S.C. §1311 or carrying out Section 402 of the CWA, 33 U.S.C. §1342, the EPA shall require the submission of any information reasonably necessary to make such a determination. Under the authority of Section 308 of the Clean Water Act, EPA may require the submission of information necessary to assess any facility/site and its related appurtenances for compliance with and/or carrying out the provisions of the CWA.

Part IV.E.4.d of MCUA’s New Jersey Pollutant Discharge Elimination System (“NJPDES”) Permit, NJ0020141 (“Permit”) effective June 2009, requires that MCUA explore and implement to the extent practicable the minimization of non-domestic user discharges during wet weather periods. MCUA’s industrial user permits do not require flow minimization during wet weather.

Part IV, “Combined Sewer Management”, F.3, “Review and modification of pretreatment requirements to assure CSO impacts are minimized”, of MCUA’s Permit issued in March 2015 and effective July 1, 2015 requires that:

- a. The permittee shall determine the locations, associated CSO outfalls and discharge volume, loading and toxicity of the SIUs for the entire collection system which is owned/operated by

the permittee; determine and prioritize the potential environmental impact of these SIUs by CSO outfall; include this information in the characterization portion of the O&M Program and Manual as required in Section F.1. This information shall be updated annually in the Progress Report in accordance with Section D.4.

- b. The permittee shall require that SIUs investigate ways to minimize their discharges during wet weather and report their findings to the permitted.
- c. The permittee shall establish agreements with SIUs or ordinances specifying that the SIUs (especially for batch discharges, non-continuous dischargers) should restrict discharges to the extent practical during wet weather periods.

Part IV, "Combined Sewer Management", F.3, "Review and modification of pretreatment requirements to assure CSO impacts are minimized", requires that the permittee shall determine the locations, associated CSO outfalls and discharge volume, loading and toxicity of the SIUs for the entire collection system which is owned/operated by the permittee; determine and prioritize the potential environmental impact of these SIUs by CSO outfall; include this information in the characterization portion of the O&M Program and Manual as required in Section F.1 of the Permit. This information shall be updated annually in the Progress Report in accordance with Section D.4. of the Permit

As a follow up to EPA's October, 2013 Sanitary Sewer System Compliance Inspection, MCUA sent letters to three Significant Industrial Users ("SIUs") in Perth Amboy: Englert, Chemtura and Med-Apparel related to flow minimization during wet weather. MCUA received responses from each of these companies (see attached letters). Based on their responses, Englert and Chemtura both have the ability to store or reduce flow if necessary, but apparently only do so when requested under emergency conditions such as in the aftermath of Hurricane Sandy. Med-Apparel's response indicated that they have reduced their water usage in the recent past, but that they do not have the ability to reduce flow during wet weather at this time.

### **REQUEST FOR INFORMATION**

MCUA and Perth Amboy are hereby required, pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. §1318(a), to submit the requested information regarding the SIUs listed above:

Within forty-five (45) days of receipt of this RFI please submit in writing:

1. which Combined Sewer Overflow points (Outfall Numbers, Locations, Receiving Waters) are downstream of each of the three Significant Industrial Users (Englert, Chemtura and Med-Apparel);
2. a schedule for evaluating the SIUs and incorporation, as necessary, of flow minimization requirements into Industrial Permits for Significant Industrial Users such as Chemtura and Englert, and any others as required under Part IV.E.4.d of MCUA's current Permit. As well as Part IV.F.3 of MCUA's and Perth Amboy's Permit which will become effective on July 2015.

## CERTIFICATION

Any documents to be submitted by Perth Amboy or MCUA as part of this Request for Information shall be sent by certified mail or its equivalent and shall be signed by an authorized representative of the respective entity (see 40 CFR §122.22), and shall include the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

All information required to be submitted pursuant to this Request for Information shall be sent by certified mail or its equivalent to the following addresses:

Larry Gaugler, NPDES Team Leader  
Water Compliance Branch  
Division of Enforcement and Compliance Assistance  
290 Broadway, 20th Floor  
New York, NY 10007-1866

Marcedius T. Jameson, Director  
Water and Land Use Enforcement  
New Jersey Department of Environmental Protection  
Mail Code 401-04F, 401 East State Street  
P.O. Box 420  
Trenton, NJ 08625-0420

Should you have any questions regarding this request, feel free to have your staff contact Larry Gaugler, NPDES Team Leader at (212) 637-3950.

Sincerely,



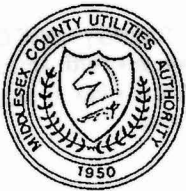
Douglas McKenna, Chief  
Water Compliance Branch  
Division of Enforcement and Compliance Assistance

Enclosure  
MCUA 2013 Letters to Englert, Chemtura and Med-Apparel

cc: Marcedius T. Jameson, Director, Water and Land Use Enforcement, NJDEP  
Maureen Byrne, NJDEP via email  
Melissa Hornsby, NJDEP via email







## MIDDLESEX COUNTY UTILITIES AUTHORITY

### MAIN OFFICES:

2571 MAIN STREET • P.O. BOX 159 • SAYREVILLE, NJ 08872-0159  
(732) 721-3800 FAX: (732) 721-0206

### MIDDLESEX COUNTY LANDFILL OFFICE:

53 EDGEBORO ROAD • EAST BRUNSWICK, NJ 08816-1636  
(732) 246-4313 FAX: (732) 246-8846

RICHARD L. FITAMANT, EXECUTIVE DIRECTOR  
MARGARET M. BRENNAN, COMPTROLLER  
DONATO J. TANZI, WASTEWATER DIVISION  
PAUL T. CLARK, SOLID WASTE DIVISION

November 7, 2013

REPLY TO:  
☒ SAYREVILLE  
☐ EAST BRUNSWICK

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Mr. Ken Krawcheck  
CEO  
Englert Inc.  
1200 Amboy Avenue  
Perth Amboy, NJ 08862

Dear Mr. Krawcheck:

The Middlesex County Utilities Authority's NJPDES Permit requires non-domestic users discharging into Combined Sewer Systems to minimize non-domestic user discharges during wet weather periods.

In accordance with Part IV (E) (4) of the MCUA's NJPDES Permit (No. NJ0020141), and since the City of Perth Amboy operates a Combined Sewer System, the MCUA is requesting that the facilities that are permitted by the MCUA which are located in Perth Amboy explore various options to minimize the discharges of non-domestic wastewater during wet weather periods. Such options, include, but are not limited to the following:

- Batch dischargers not discharging during wet weather;
- Continuous dischargers storing flows during wet weather periods and discharging stored flows during dry weather; and
- Review and modification of non-domestic user chemical storage procedures.

The MCUA is requesting you to review your facilities operations to determine what options are available to minimize the non-domestic wastewater flow discharged to the City of Perth Amboy's wastewater collection system during storm events. Please note that the MCUA and/or the City of Perth Amboy may request that the aforementioned options be implemented during certain storm events.

The MCUA would like to schedule a meeting with you and the City of Perth Amboy in the near future to discuss this matter. Please contact Michael Lopez, or myself, at (732) 721-3800, to schedule a mutually acceptable time.

Sincerely,

Kevin T. Aiello  
Administrator  
Environmental Quality

cc: L. Perez, City of Perth Amboy  
M. Lopez, MCUA



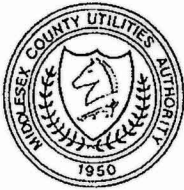
MAIN MANUFACTURING / HOME OFFICE  
1200 Amboy Avenue • Perth Amboy NJ 08861  
Tel: (732) 826-8614 • Fax: (732) 826-8865  
www.englertinc.com

## ENGLERT TEMPORARY INDUSTRIAL WASTE MINIMIZATION PLAN 12/7/2013

1. Englert will utilize an empty storage tank to hold industrial waste if there is a NJDEP cessation order.
  - a. Englert will reduce water usage to the bare minimum on its paint line and will continue to do so as long as finished product quality is not affected.
2. Englert will refrain from normal Preventive Maintenance of the cleaning tanks until necessary to maintain a product quality.
3. Englert will use its best efforts to discharge its treated water as slow as possible during non peak hours, while the plant is still in normal operations.
4. Englert will use its best efforts to discharge the treated water in the holding tank(s) on the weekends when production is not being performed; this will keep the flow to a minimum and help avoid a shock to the system downstream.
5. Upon a prolonged duration at Englert's discretion, a Frag Tank will be rented in order to hold and reduce flow going to the MCUA's system.

### CONCLUSION:

Englert will continue to follow the above minimization plan as a matter of civic responsibility until any NJDEP cessation order has been lifted.



## MIDDLESEX COUNTY UTILITIES AUTHORITY

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RICHARD L. FITAMANT, EXECUTIVE DIRECTOR  
MARGARET M. BRENNAN, COMPTROLLER  
DONATO J. TANZI, WASTEWATER DIVISION  
PAUL T. CLARK, SOLID WASTE DIVISION

November 7, 2013

### REPLY TO:

☒ SAYREVILLE  
☐ EAST BRUNSWICK

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Ms. Pamela Dudish  
Plant Manager  
Chemtura Corporation  
1000 Convery Boulevard  
Perth Amboy, NJ 08862

Dear Ms. Dudish:

The Middlesex County Utilities Authority's NJPDES Permit requires non-domestic users discharging into Combined Sewer Systems to minimize non-domestic user discharges during wet weather periods.

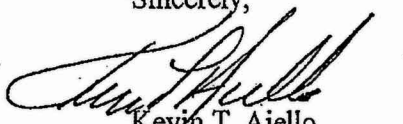
In accordance with Part IV (E) (4) of the MCUA's NJPDES Permit (No. NJ0020141), and since the City of Perth Amboy operates a Combined Sewer System, the MCUA is requesting that the facilities that are permitted by the MCUA which are located in Perth Amboy explore various options to minimize the discharges of non-domestic wastewater during wet weather periods. Such options, include, but are not limited to the following:

- Batch dischargers not discharging during wet weather;
- Continuous dischargers storing flows during wet weather periods and discharging stored flows during dry weather; and
- Review and modification of non-domestic user chemical storage procedures.

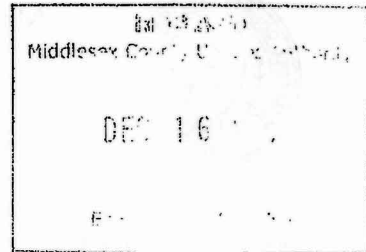
The MCUA is requesting you to review your facilities operations to determine what options are available to minimize the non-domestic wastewater flow discharged to the City of Perth Amboy's wastewater collection system during storm events. Please note that the MCUA and/or the City of Perth Amboy may request that the aforementioned options be implemented during certain storm events.

The MCUA would like to schedule a meeting with you and the City of Perth Amboy in the near future to discuss this matter. Please contact Michael Lopez, or myself, at (732) 721-3800, to schedule a mutually acceptable time.

Sincerely,

  
Kevin T. Aiello  
Administrator  
Environmental Quality

cc: L. Perez, City of Perth Amboy  
M. Lopez, MCUA



December 13, 2013

Mr. Michael Lopez  
Middlesex County Utility Authority  
2571 Main Street  
Sayreville, New Jersey 08872-0159

Re: Minimization of non-domestic user discharges during wet weather periods.

Dear Michael:

This letter is in response to MCUA's request that facilities permitted by MCUA which are located in Perth Amboy explore various options to minimize the discharges of non-domestic wastewater during wet periods. As you are aware, the Chemtura plant located at 1000 Convery Boulevard, Perth Amboy currently collects all process water (approx. 10000 gallons per day) and rain water into an onsite storage tank with a capacity of 1.7 million gallons. Details on the tank are as follows: 6967 gallons per inch with a total of 244 inches. It is our practice to reduce the stored volume in our tank once a significant weather event has been forecasted. We consistently discharge at or below our permit limits.

The onsite storage tank gives us flexibility on discharge volumes. As seen during Hurricane Sandy we were able to temporarily reduce our discharges to accommodate the challenges faced by MCUA and Perth Amboy's wastewater collection system. We have reviewed the wastewater operation at the site and found that we are able to minimize the non-domestic wastewater flow discharged to the City of Perth Amboy's wastewater collection system during storm events.

If you would still like to schedule a meeting with the Chemtura Perth Amboy team, please contact me at (732) 826-6600 ext. 284.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Castillo".

Robert Castillo  
Manager EHS&S  
Chemtura Corporation  
1000 Convery Boulevard  
Perth Amboy, NJ 08861  
(732) 826-6600 ext. 284

[Robert.Castillo@chemtura.com](mailto:Robert.Castillo@chemtura.com)





## MIDDLESEX COUNTY UTILITIES AUTHORITY

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PAUL T. CLARK, SOLID WASTE DIVISION

November 7, 2013

REPLY TO:  
☒ SAYREVILLE  
☐ EAST BRUNSWICK

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Ms. Anna Kastalski  
General Manager  
Med - Apparel Services, Inc.  
35 Washington St.  
Perth Amboy, NJ 08861

Dear Ms. Kastalski:

The Middlesex County Utilities Authority's NJPDES Permit requires non-domestic users discharging into Combined Sewer Systems to minimize non-domestic user discharges during wet weather periods.

In accordance with Part IV (E) (4) of the MCUA's NJPDES Permit (No. NJ0020141), and since the City of Perth Amboy operates a Combined Sewer System, the MCUA is requesting that the facilities that are permitted by the MCUA which are located in Perth Amboy explore various options to minimize the discharges of non-domestic wastewater during wet weather periods. Such options, include, but are not limited to the following:

- Batch dischargers not discharging during wet weather;
- Continuous dischargers storing flows during wet weather periods and discharging stored flows during dry weather; and
- Review and modification of non-domestic user chemical storage procedures.

The MCUA is requesting you to review your facilities operations to determine what options are available to minimize the non-domestic wastewater flow discharged to the City of Perth Amboy's wastewater collection system during storm events. Please note that the MCUA and/or the City of Perth Amboy may request that the aforementioned options be implemented during certain storm events.

The MCUA would like to schedule a meeting with you and the City of Perth Amboy in the near future to discuss this matter. Please contact Michael Lopez, or myself, at (732) 721-3800, to schedule a mutually acceptable time.

Sincerely,

Kevin T. Aiello  
Administrator  
Environmental Quality

cc: L. Perez, City of Perth Amboy  
M. Lopez, MCUA



## Med-Apparel Services, Inc.

Med-Apparel Services, Inc.  
35 Washington Street  
Perth Amboy, NJ 08861  
Ph: 732.442.3099 Fax: 732.442.02  
Please visit our website: [www.unitextextile.com](http://www.unitextextile.com)

Middlesex County Utilities Authority  
P. O. Box 159  
Sayreville, NJ 08872-0159

January 13, 2014

Dear Mr. Lopez:

In regards to the letter of November 7, 2013 concerning the discharge of water during wet weather periods, here is some data concerning the Med-Apparel Perth Amboy operation that may shed some light on our ability to comply with the requests.

Our company launders linen exclusively for the healthcare industry. We do not have any other divisions processing non-essential items such as restaurant linens or uniforms. Our entire business in all of our facilities is with hospitals, long term care facilities, outpatient care centers and associated healthcare businesses. As such, we are considered an essential service to these facilities and are contractually required to service them under all conditions. As an example, we have invested over 1 million dollars into a mobile diesel generator and equipping our facilities to accept temporary portable power in the event of a power outage.

Concerning the bullet points in the letter:

- We do not have any batch precesses
- We do not have the ability to store process waste water. This facility discharges about 40,000 GPD of water and the storage of that quantity would require gargantuan storage facilities.
- We store minimal amounts of chemical on site.

In October of 2013 we undertook a study to re-evaluate our washing process and focus on conserving water as much as possible. This resulted in a 10,000 – 15,000 GPD (20% - 25%) reduction in the discharge volume of the Perth Amboy plant with the same amount of business. This will be reflected in our SMR's from November 2013 forward.

We now have the water use driven down to a point where further reduction in the process water would jeopardize our ability to properly clean and sanitize the hospital linen, resulting in a danger to the patients and staff at the facilities..

We full understand your concern about the combined sewer system as we deal with that in other locations and know the havoc that extreme weather conditions can wreak on such a system. However, we have no ideas or perceived ability to reduce the amount of water we use during these periods that would not jeopardize both our business and the quality of care at our client hospitals.

Best regards,

Corporate Engineering